

Dear Reviewer:

The document you have requested, the Revised Draft Restoration Plan and Environmental Assessment for the Applied Environmental Services (Shore Realty) Superfund Site (Draft RP/EA), is intended to provide the public an opportunity to participate in the process of selecting an appropriate restoration project to compensate for natural resource injuries and losses resulting from the release of hazardous substances from the Applied Environmental Services Superfund Site (AES or “the Site), located in Glenwood Landing, New York.

This Draft RP/EA was prepared by the National Oceanic and Atmospheric Administration (NOAA) on behalf of the United States Department of Commerce, and the United States Fish and Wildlife Service (USFWS) on behalf of the United States Department of the Interior (DOI), in consultation with the New York State Department of Environmental Conservation (NYSDEC). Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), these federal and state agencies share trusteeship authority over the natural resources affected by releases from AES and are collectively referred to as the Natural Resource Trustees (“the Trustees”) (42 USC 9607(f)(2)). It was noticed to the public for comment on Nov 9, 2001 (Federal Register, Vol 66 No. 218) and no comments were received. This Revised Draft RP/EA updates the June 2001 text because of changes in financing. It also reflects the subsequent availability of a draft design document and a draft monitoring plan.

As its title denotes, this document serves as both a Revised Draft Restoration Plan and an Environmental Assessment prepared in accordance with the National Environmental Policy Act (NEPA) (42 USC 4332(C)). An Environmental Assessment (EA) is a concise public document, prepared by a federal agency, which includes a brief analysis of the environmental impacts of a proposed federal action and its alternatives. If the EA shows that the proposed action will significantly impact the quality of the human environment, the agency must prepare an Environmental Impact Statement (EIS) to evaluate alternatives to the proposed project that might lessen or minimize the impact. Alternatively, if, after reviewing public comments on the EA, the responsible agency official determines that the preferred alternative is not expected to cause any significant impacts to the environment, he/she will issue a Finding of No Significant Impact (FONSI). The issuance of a FONSI concludes the NEPA process and the agency may proceed with the proposed action. NEPA requires an assessment of the effects of certain federal actions that may impact the environment.

This Revised Draft RP/EA documents the Trustees’ efforts to comparatively evaluate a range of restoration alternatives designed to compensate for injury to natural resources within the Hempstead Harbor/Motts Cove environment resulting from releases of hazardous substances from the Site. In selecting a preferred restoration project from among the alternatives, the Trustees considered the following factors: 1) effects on public health and safety; 2) uniqueness of the geographic area; 3) potential controversial effects of the project; 4) uncertain risks and effects of implementing the project; 5) potential precedent for future actions established by the project; 6) potential significant cumulative impacts to which the project may contribute; 7) effects on any significant cultural, scientific or historical resources; 8) effects on endangered or threatened species or their habitats; and 9) likely violation of any laws intended to protect the environment

in which the project is implemented. This revised document primarily differs from the original in that the Trustees would like to utilize all or part of the \$50,000 natural resource damage settlement paid to the federal Trustees for an off-Site enhancement project at the preferred restoration project. Sections updated include site selection, project design, project monitoring and Coastal Zone Management Act.

You are invited to provide comments. . If, after reviewing comments submitted by the public, the Trustees determine that the preferred restoration project is not likely to have significant impacts on the environment, the NEPA process will conclude following this comment process.

Please direct your written comments to:

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Ms. Rosman must receive your comments via email or fax within 15 days of issuance of the public notice.